

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Case No.: 3:21-cr-00049-RCJ-CSD

UNITED STATES OF AMERICA,

Plaintiff

v.

SUKHDEV SINGH SIDHU,

Defendant

Order

Re: ECF No. 56

Defendant Sidhu has filed a motion for leave to file under seal a supplemental submission in support of his motion to disqualify the prosecution team, declaration of Defendant Sidhu, declaration of Aaron M. May, and Exhibits A-C. (ECF No. 56.)

Preliminarily, the court notes that the Local Rules governing criminal procedure contemplate the filing of a motion, response, and reply. LCR 47-1, 47-2. Any supplemental briefing requires leave of court, and defendant Sidhu has not filed a motion for leave of court to supplement his briefing on the motion to disqualify. Nevertheless, on this one occasion based on the circumstances, the court will allow Sidhu to file his supplemental briefing, and the court will allow it to be filed under seal.

The court is making this exception because the material that is the subject of the supplemental brief was requested *prior to* the evidentiary hearing, but the exhibits were not provided to defense counsel until the morning of the evidentiary hearing that occurred on March 8, 2023. In the future, any supplemental briefing must be accompanied by a motion for leave to supplement. However, the court notes that it already denied Defendant Sidhu's request to

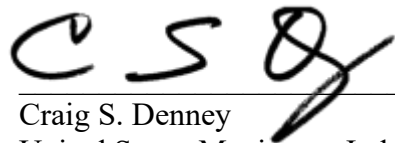
1 supplement the record with materials ordered produced at the hearing and provided after the
2 hearing.

3 Sidhu's motion for leave to file the supplemental briefing under seal (ECF No. 56) is

4 **GRANTED.** The briefing shall be filed under seal immediately. The United States has until **5:00**
5 **p.m. on Tuesday, March 14, 2022**, to file a response.

6 **IT IS SO ORDERED.**

7 Dated: March 13, 2023

8 
9

Craig S. Denney
United States Magistrate Judge